

culls in said cargo and if the said percentage shall be more than five per cent. of unmerchable oysters of the portion of cargo so measured, then the said cargo shall be deemed to be unculted and the captain, master or person in charge of such oysters shall be required to cull the whole cargo, and, in case said cargo contains more than five per cent. of unmerchable oysters, be fined the sum of twenty-five dollars, and in addition to that the sum of six cents per bushel for the entire cargo, including all shells and oysters, large and small, in his or their possession or charge, and also a further fine of one additional cent per bushel on the entire cargo for each additional one per cent. of unmerchable oysters which said cargo may be found to contain; and the inspector or measurer, after ascertaining the quantity of unmerchable oysters so culled out, shall give the captain or other person in charge of said vessel a certificate showing the number of bushels of such unmerchable oysters and said captain or other person in charge shall return the said unmerchable oysters so culled out and scatter them on the ground or rocks whence taken, under the direction of the deputy commander of the oyster police boat on the beat, and upon such delivery and scattering, the deputy commander or other person in charge of the oyster police boat shall endorse the said certificate as to the number of unmerchable oysters so scattered, which certificate shall entitle the captain, his assignee, or any other person entitled thereto to receive the sum of ten cents per bushel for each bushel of unmerchable oysters so disposed of and scattered; and the comptroller of the treasury shall, upon presentation of such certificate so endorsed, draw his warrant on the oyster fund in favor of the party entitled to the same for the amount therein specified. The fine of twenty-five dollars and the per bushel rate fine herein mentioned to be recovered on conviction before a justice of the peace or a court of competent jurisdiction, and in the event that the party who has thus violated the provisions of this article be supposed to be financially irresponsible, the officer preferring the charge shall demand of the purchaser of the cargo to withhold and pay over to the proper authority such amount, and if said purchaser shall refuse or fail to do so, the amount shall be recovered from him by writ of *fieri facias* on the judgment obtained against the party who has so violated the law. The certificate herein provided for shall be in form following and the blank spaces shall be filled out in ink, and numbers shall be written in full:

Baltimore, _____, 19____.

This is to certify that captain _____, of schooner _____, has on board _____ bushels of unmerchable oysters, to be scattered on the grounds whence taken, under the supervision of _____, deputy commander, serving in the waters of _____, and upon the endorsement